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The Two Faces of Lyndon Johnson

"When President Johnson finished reading a private preview of last week's [Johns Hopkins] Vietnam speech to a delegation of the liberal Americans for Democratic Action, his audience burst forth into spontaneous applause . . . he deliberately left the impression with the ADA'ers that he was a Dove surrounded by Hawks . . . he remarked sorrowfully that he only hoped Secretary of State Rusk, Secretary of Defense McNamara and Presidential Assistant McGeorge Bundy would let him make this speech in public."

—Evans and Novack, N.Y. Herald-Tribune, April 14.

"Lyndon gibes at the ADA. After a lengthy confab with the ultra-liberal group, the President described it as 'totally impractical' to the next meeting on his agenda, the National Security Council [which of course includes Rusk, McNamara and McGeorge Bundy]. To prove it, Lyndon rummaged through trash baskets to find notes the ADA members wrote each other—picking out scraps, reading and laughing."

—Washington Wire: Wall Street Journal, April 23.

LBJ's fun at the expense of the ADA has been shared widely here. One high official related it gleefully to a dinner partner without realizing she was a top ADA'er's wife!

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Our Secretary of State and the Academic Community

The war to make Southeast Asia safe for democracy is rapidly turning into a war to make the United States unsafe for free discussion of foreign policy. Secretary Rusk picked a meeting of the American Society of International Law to deliver an attack on critics in the academic community. That speech and the follow-up press conferences by Secretary McNamara and the President have the earmarks of a campaign to steamroller criticism. The White House is mobilizing its satellite commentators to make dissent from its war policies seem aid and comfort to the enemy. Instead of welcoming the campus teach-ins as a means of stirring wider participation in the formulation of policy, the Administration is as anxious to shut off debate in the colleges as in the Congress. Secretary Rusk told the International Lawyers he wondered "at the gullibility of educated men" and their "stubborn disregard of plain facts."

Rusk's Fairy Tales

Never have plainer facts been more stubbornly disregarded than by Rusk, McNamara and Johnson since Johnson in 1961 called Diem "the Churchill of Asia" and McNamara sponsored the Taylor-Staley counter-insurgency plan that same year as a way to bring the Viet Cong under control in 18 months! A steady retreat from reality has accompanied the spread of the rebellion. Only two years ago Secretary Rusk (in his April 22, 1963, speech to the Economic Club in New York) was telling us that "the strategic hamlet program is producing excellent results." The statement has since proven ludicrously false. In that same speech, only a few months before an exasperated people poured happily into the streets to celebrate Diem's overthrow, Rusk was still trying to tell us that South Vietnam under the dictator was showing "steady movement toward a constitutional system resting upon popular consent."

It is hard to match Rusk's record for "stubborn disregard of plain facts." He added to it in his speech to the international lawyers. "There is no evidence," he said, "that the Viet Cong has any significant popular following in South Vietnam." This sets a new high in overstatement. We call attention to the two most recent witnesses to the contrary: one is a comprehensive account in *Figaro Litteraire* (March 3), (see box at the bottom of p. 3), the other is Georges Chaffard's account in the Paris *L'Express* (April 25) of his recent visit to areas under Viet Cong control. When M. Chaffard in the first installment of his series (*L'Express*, April 11) described the serious damage done to guerrilla supply and morale by U.S. bombings, his report was welcomed in our press, among others by Joseph Alsop. But nobody quotes M. Chaffard's description in the third installment (April 25) of the "harmonious" relations he says have long existed between the guerrillas and the people, and of the schools and hospitals they operate in Viet Cong territory. Nor does anyone quote his account of how the rebellion originated in the effort by Diem to take the land back from the peasants and in the persecution by Diem of Viet Minh veterans after 1954 in violation of the Geneva accords. "Most of the regular

(Continued on Page Two)

How The White House Now Reviews Book Reviews

LBJ's eye on the press seems to extend even to book reviews. The editors of the New York Review of Books received a White House telephone call from Richard Goodwin, a presidential speech-writer, objecting to I. F. Stone's review in its April 22 issue of two books on Vietnam, one by David Halberstam, the other by Malcolm W. Browne. When the editors said they would be glad to publish a letter from Goodwin or any other Administration spokesman taking issue with the review, Goodwin replied that this would be impractical because such a letter would have to be cleared by too many hands. Goodwin said Stone was a-fine-fellow-but suggesting that next time there were books on Vietnam to be reviewed, why not give them to Joseph Alsop!

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units of the Front," M. Chaffard writes, "are made up today of relatives of the victims of the Diemist repression." *

Disguising Lawlessness As Law

Mr. Rusk's discussion of international law matched his history. "Every small state," he said, "has a right to be unmolested by its neighbors even though it is within reach of a great power." This will add to the Secretary's fame as a humorist in Guatemala and Cuba. In another notable passage, Secretary Rusk said "our assistance" to South Vietnam "now encompasses the bombing of North Vietnam." Never was a more dubious legal proposition more swiftly passed over. Exactly one year ago, when the British, fighting anti-British rebels in Aden, struck across the border into the "privileged sanctuary" in Yemen, Adlai Stevenson told the Security Council the U.S. had repeatedly expressed its emphatic disapproval of "retaliatory raids wherever they occur and by whomever they are committed." Similarly when the French in 1958 struck across the Algerian border into the Tunisian camps where the Algerian rebels rested and trained, Senators Kennedy, Humphrey, Morse and Knowland denounced the reprisal raid as a violation of international law and Eisenhower warned the French we would be unable to defend such action before the Security Council. It is a pity no one arose in that respectable audience of international lawyers to quote back at Rusk the sardonic summation on the subject to be found in Schwarzenberger's *Manual of International Law*. It says "military reprisals are open only to the strong against the weak." If Hanoi had an air fleet and a navy to match ours, we would never dare do what we are doing. This is why we look like a big bully to Asia.

The bombings confessed the failure after four years of our effort to win the war in South Vietnam by counter-insurgency. The McNamara press conference confessed the failure of the bombings in North Vietnam to force Hanoi to "call off" the war (in accordance with our kitchen spigot theory of the rebellion) or at least to stop the flow of men and supplies; McNamara claims infiltration has been stepped up. The Secretary made much of the fact that by destroying bridges and roads we were forcing the Viets to move from rail to road and from road transport to their feet. But it was on their feet that the Viet Minh defeated the French as it was on their feet, despite a similar control of the air and a far greater destruction of highways and bridges, that the Chinese "volunteers" forced us back to the 38th Parallel in Korea. McNamara's record for clairvoyance is as poor as Rusk's. In October, 1963, he told the country that everything was going so well in South Vietnam that 1,000 American "advisers" would be withdrawn by the end of the year and the war would be brought under control by 1965.

There is nothing left now but to take over the war with our own combat troops, but in this we are encountering un-

*** Similarly no one else quoted M. Chaffard when in Le Monde (Aug. 24, 1963) he reported a clandestine interview with a National Liberation Front leader in Saigon who said it did not wish to exchange "one dictatorship for another", i.e. Diem's for Ho's but to establish a democratic regime in the South (see our Weekly, Oct. 28, 1963). Nor after the Tonkin Bay reprisal raids did anyone else in this country cite M. Chaffard's account in Le Monde (Aug. 7, 1964) of how the U.S. began to train commandoes and infiltrators for attack upon the North in 1957, three years before the rebellion in the South was proclaimed (see this Weekly, Aug. 24, 1964). We challenge M. Chaffard's new admirers to discuss these earlier revelations.**

Destroying Bridges and Building Hate

"It is difficult for me to understand what our Armed Forces, our Defense Department, and our executive branch are thinking of when they send 200 planes to blow up a bridge. Is it simply braggadoccio, our way of saying this is what we are doing as an example, and it is nothing at all to what we will do if those people of North Vietnam do not yield? Those people over there, I suppose, are not in a mood to negotiate when they see everything they have worked for being blown to pieces by a huge air fleet. Instead of capitulating, they seem to be consumed by a greater hatred for the United States. I realize there is wrong on both sides. Who started this trend toward human catastrophe will probably always be debatable. Whether the North Vietnamese or the South Vietnamese or no Vietnamese started it is not a question I can answer. However, I believe it is plainly evident now that unless this conflict is stopped, whatever history there will be left to record will show a very black page." (Applause)

—Aiken (R., Vt.), *in the Senate, April 21.*

The Torture We Permit and the International Law We Violate in South Vietnam

"The atrocities are not committed only by the Communist forces. . . . In one known case, two Viet Cong prisoners were interrogated on a plane flying toward Saigon. The first refused to answer questions and was thrown out of the airplane at 3,000 feet. The second immediately answered all the questions. But he, too, was thrown out. . . . One of the most infamous methods of torture used by the government is partial electrocution—or 'frying' as one U.S. adviser called it. . . . Sometimes the wires are attached to the male genital organs, or to the breasts of a Viet Cong woman prisoner. . . . Other techniques, usually designed to force onlooking prisoners to talk, involve cutting off the fingers, ears, fingernails or sexual organs of another prisoner. Sometimes a string of ears decorates the wall of a government military installation."

—Beverly Deepe in Saigon to NY Herald Trib. *April 25.*

"This conduct [torture] has been accepted as a matter of course in the United States. May I point out that it is in direct violation of provisions of the 1949 Geneva Prisoner-of-War Convention which has been ratified or adhered to by Vietnam (1953), the USSR (1954), the United States (1955), Communist China (1956) and the Viet Minh (1957), presumably the countries most directly concerned. (Actually, by June 1964, 103 countries had agreed to be bound by this Convention.)

"While the 1949 Convention is directed primarily towards the regulation of international warfare and the conflict in Viet Nam is, at least theoretically, a civil war, there is one article of the Convention which relates exclusively to civil wars; and it specifically prohibits, with respect to prisoners of war, 'violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture'."

—Howard S. Levie, Colonel U.S.A. (Ret.), and Assoc. Prof. of Law, St. Louis University Law School, in a letter to the St. Louis Post-Dispatch, *April 9.*

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expected resistance. The government in Saigon seems to be opposing our wish to put U.S. combat troops into the country. Jack Foisie of the *Los Angeles Times* foreign service reported (*Washington Post,* April 25) that Ambassador Taylor since his return from the Honolulu conference had been to see Prime Minister Quat twice about the introduction of American ground forces. Dr. Quat is reported to be worried "about the internal reaction to the presence of more and more Americans" and to feel that the sending of infantry units "smacks of permanency, of occupation." Secretaries Rusk and McNamara might fruitfully study the remark Foisie quotes from an American official in Saigon who said, "Washington can't understand Quat's attitude, but we can. He still thinks of this as a civil war—Vietnamese against Vietnamese—and he hates to think of the effect of American involvement since it just adds to the painful hatreds being created between North and South Vietnamese." Dr. Quat is himself a North Vietnamese, though one of the bitterly anti-Communist refugees from that area. Beverly Deepe from Saigon the same day (*New York Herald-Tribune,* April 25) reported "some of the Northern-born anti-Communists openly resent their homeland being bombed." She said "Vietnamese of all political colors believe the American military leaders are moving closer and closer to the French colonial position militarily—thus incurring all the disadvantages psychologically of being tabbed as colonialists, but with none of the colonialists' advantages of political control."

Will We Override Saigon?

This is clearly evident in the troop question. Dr. Quat "is known to feel" Jack Langguth reported from Saigon to the *New York Times* April 25 that "the landing of a large number of infantrymen would raise unpleasant recollections of the French colonial war." But Langguth added significantly, "his opposition is not believed to rule out further consideration of the matter." In any showdown, the U.S. and not Dr. Quat will make the decision, though at the expense of increased disaffection in Saigon. "Strong combat troops would be introduced into South Vietnam," the *New York Times* reported from Washington that same day on the basis of one of those "deep backgrounders" for the favored few, "to prevent the United States' expulsion from the country." Does this also apply if the Saigon government were to initiate talks with the rebels for a cease-fire and ask the U.S. to leave? A move of this kind seems to be feared by Americans and bitter-enders in South Vietnam. Miss Deepe reports them worried about the possibility of pro-neutralist trends in the elections called for the city and provincial capitals May 30. The prospect of free elections seems always to fill the U.S. with anxiety. The Acting Chief of State also appealed last week for election of a National Congress, but it is feared this could "easily be penetrated by pro-Communist and pro-neutralist elements," possibly paving the way for peace. This reappearance of democratic institutions in which a popular will for peace may express itself is regarded by our people in Saigon (Miss Deepe writes) as part of an "invisible, unarmed subversive war . . . far more significant than the violent, bloody guerrilla war in the countryside." The self-determination Rusk claims to be defending in South Vietnam is what we most fear. The refugees streaming into the cities from the villages we are destroying in our all-out air warfare against the rebels are hardly likely to favor a further step-up in American intervention. We fear the popular will in Vietnam and we fear it at home. *April 26*

The Senate and the CIA

The director of the Central Intelligence Agency is the President's eyes and ears abroad. He presides over the U.S. Intelligence Board which coordinates the work of the government's 12 different intelligence agencies, military and civilian. This huge apparatus has often been disastrously wrong, as in the Bay of Pigs affair. Poor intelligence has been a prime cause of U.S. troubles in Vietnam; two recent books by reporters who served there, the New York Times' David Halberstam and the AP's Malcolm W. Browne (see my review in the New York Review of Books, April 22) show that the intelligence chiefs engaged in deliberate self-delusion, rejecting unfavorable reports from their own men in the field. Yet a new CIA chief has just been confirmed by the Senate without one word of discussion. We know very little of Vice Admiral Wm. Francis Raborn, Jr., ret.; he had an honorable record in the Navy; he is a gunnery expert; he helped develop the Polaris missile; he went to work after retirement for Aerojet General Corp., part of the military-industrial complex. What a man sees is affected by the lenses of his preconceptions. Yet the top intelligence job in the government is filled as if it were a routine postmastership in Oshkosh. What's the good of Senate confirmation when it's meaningless?

A Conservative French Newspaperman on The National Liberation Front's Appeal

"The [South] Vietnamese . . . passionately want . . . not to be subjected to the North Vietnamese government which they detest. . . . The program of the [National Liberation] Front could not be more reassuring. To read it, it is for a sort of liberal Socialist government. It is precise in providing for the retention of the right to private property, that private industry will be encouraged. . . . In foreign affairs, diplomatic relations will be established with all countries 'without distinction as to political system.' . . . It is the same as saying that Vietnam will be a friend of the United States. Lastly, the separate existence of South Vietnam is promised. . . . All observers agree on one point: The program and the conduct of the National Liberation Front have won it the adherence, enthusiastic or resigned, of a very large part of the Vietnamese population. This is a fact which becomes particularly clear when one interviews middle class and intellectual people in Saigon. One of them summarizes the problem in this way: 'We have a choice between two solutions: to wage an endless war while every day placing ourselves more at the mercy of the Americans, and without any guarantees that this will end in a cleancut victory, or categorically to demand the end of the war and trust to the good faith of the National Liberation Front and to their willingness to carry out a program which to us appears acceptable. . . .'

"One thing at least is sure: the fiction that American military power has been introduced upon demand of a people fighting Communism no longer holds today."

—Max Clos, from Saigon in Le Figaro Litteraire, *March 3, full text in Congressional Record April 21 p. 7860.*

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Radicals Can Be Harassed Endlessly, But Only in Federal Tribunals

The Supreme Court and Communist "Fronts": A Contradiction

Just below the surface there is a contradiction between the Supreme Court's broad ruling in favor of the Southern Conference Educational Fund against the State of Louisiana and its narrow ruling in favor of two alleged Communist fronts, the American Committee for the Protection of the Foreign Born and the Veterans of the Abraham Lincoln Brigade. The SCEF case involves the witch hunt in a Southern State. The two "front" cases involve the witch hunt on a national level. The Court is willing to interfere with the former but loath to act against the latter.

A Compliment Thoreau Deserves

In Louisiana, where the civil rights movement is regarded as a Communist plot, the State has adopted replicas of the witch-hunting mechanisms established earlier in Washington. The State has a Committee on Un-American Activities. It also has a Subversive Activities and Communist Control Law and a Communist Propaganda Control Law. Under the latter, the police were empowered in a raid on the SCEF to seize Thoreau's *Journal* among other subversive literature, a compliment the philosopher of Walden Pond would have enjoyed.

The two State laws are modelled after the Internal Security Act which Congress passed over Truman's veto in 1950 during the anti-Communist hysteria which marked the Korean War. The State laws, like the Federal, provide for the registration of "subversive" organizations under conditions which make their survival impossible. Three officials of the SCEF, including its respected secretary, James A. Dombrowski, were indicted for failure to register. Without waiting for the outcome in the State courts, the Supreme Court, speaking through Mr. Justice Brennan, has enjoined prosecution as in conflict with the First Amendment.

This took some tricky legal footwork. Mr. Justice Harlan (with Mr. Justice Clark) dissented. They thought the Court ought to wait and see what the State courts did. They noted ironically that the history of the Smith Act in the Federal courts hardly bears out the implication that they are more trustworthy than State tribunals in enforcing the First Amendment.

Mr. Justice Black Protests

"The Subversive Activities Control Act, on which the Government's case here rests, violates a number of provisions of our Constitution and Bill of Rights. I think that among other things the Act is a bill of attainder; that it imposes cruel, unusual and savage punishments for thought, speech, writing, petition and assembly; and that it stigmatizes people for their beliefs, associations and views about politics, law and government. The Act has borrowed the worst features of old laws intended to put shackles on the minds and bodies of men, to make them confess to crime, to make them miserable while in this country, and to make it a crime even to attempt to get out of it. It is difficult to find laws more thought-stifling than this one even in countries considered the most benighted. Previous efforts to have this Court pass on the constitutionality of the various provisions of this freedom-crushing law have met with frustration on one excuse or another. I protest against following this course again."

—Mr. Justice Black dissenting in Committee for Protection of the Foreign Born and Veterans of the Lincoln Brigade V. SACB.

The majority, however, felt that the Louisiana defendants should not be left at the mercy of lengthy State proceedings calculated to inhibit First Amendment rights even though ultimately unsuccessful. By the same considerations, the Court should have ruled differently in the two "Front" cases. The Protection of the Foreign Born and the Veterans organizations have been subjected to harassment for years by the Federal authorities for failure to register as subversive. No criminal conduct is alleged against either. Both are self-help associations of aging radicals. The Veterans are a remnant of those brave young men who fought against Fascism in Spain. But instead of throwing these disgraceful prosecutions out as clearly in violation of the First Amendment, the majority timidly remands them—after 12 years of litigation!—to another turn through the judicial wringer. Douglas, Harlan and Black protested this evasion in vain.

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